



## DEPARTMENT OF THE AIR FORCE

ARLINGTON, VA 22203-1613

24 OCT 2005

Office of the Deputy General Counsel

### MEMORANDUM IN SUPPORT OF THE PROPOSED DEBARMENTS OF:

METEORIC TACTICAL SOLUTIONS, PRETORIA, SOUTH AFRICA, LTD.  
METEORIC TACTICAL SOLUTIONS, UNITED STATES OF AMERICA, LTD.  
KIMBERLY D. OLSON, a/k/a  
KIMBERLY D. HANIGAN, a/k/a  
KIMBERLY D. BAIRD

Effective this date, the Air Force has proposed the debarments of Meteoric Tactical Solutions, Pretoria, South Africa, Ltd. (MTS-PTY), Meteoric Tactical Solutions, United States of America, Ltd. (MTS-USA), and Kimberly D. Olson, a/k/a Kimberly D. Hanigan, a/k/a Kimberly D. Baird (Olson) from Government contracting and from directly or indirectly receiving the benefits of federal assistance programs. The actions are initiated pursuant to Federal Acquisition Regulation (FAR) Subpart 9.4.

### INFORMATION IN THE RECORD

Information in the record indicates that at all times relevant herein:

1. MTS-PTY was a Department of Defense (DoD) contractor located in Pretoria, South Africa that engaged in the business of providing personal security.
2. MTS-USA was a Delaware corporation and was the United States-based arm of MTS-PTY.
3. Olson was a colonel in the United States Air Force, serving with the Coalition Provisional Authority (CPA), Baghdad, Iraq. Olson was assigned from March to July 2003 to be the Executive Officer to Lieutenant General (USAF) Jay Garner (General Garner), Director of the Office of Reconstruction and Humanitarian Affairs (ORHA), Baghdad, Iraq.<sup>1</sup> ORHA had initial responsibility for the reconstruction of post-war Iraq following the United States overthrow of the Bath Regime. Olson traveled with General Garner, scheduled his appointments and handled other administrative tasks. By way of her position, Olson was privy to the administrative workings of ORHA, which was later replaced by the CPA, and had access to high-level decision makers.
4. In mid-March 2003, Olson formed and was the director of MTS-USA, which began operating out of Olson's residence in Vienna, Virginia. She did not seek approval from her commanding officer for outside employment as required by 5 Code of Federal Regulations Section 2635.802, as implemented by Department of Defense Directive 5500.7-R, Joint Ethics Regulation.

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<sup>1</sup> General Garner is now retired.

5. On June 4, 2003, General Garner's mission ended. Olson was subsequently assigned to work for the Program Review Board, CPA. While assigned to the Program Review Board and still on active duty, Olson engaged in the following activities for MTS-PTY:
  - a. On June 13, 2003, Olson drafted a document containing a MTS-PTY promotional picture of General Garner, herself and Lyon Olivier, who was a shareholder and director of MTS-PTY, a proposal cover sheet and a letter of recommendation allegedly signed by General Garner on behalf of Olivier dated June 1, 2003.
  - b. On June 28, 2003, Olson drafted a proposal for MTS-PTY to the DoD to provide security for the Director of Security Affairs, CPA valued at \$1,054,447. MTS-PTY was awarded the contract.
  - c. On June 30, 2003, Olson drafted, on behalf of MTS-PTY, a proposal to the DoD for convoy protection for Kellogg, Brown and Root valued at \$1,951,250. MTS-PTY was awarded this contract.
6. In July 2003, Olson sent letters inviting each MTS-PTY director to attend a MTS-USA meeting of the Board of Directors in September 2003.
7. On July 4 and 11, 2003, Olson improperly used her government travel card to obtain cash advances totaling \$400.
8. On March 7, 2005, Olson accepted an Article 15, Uniform Code of Military Justice (UCMJ) in lieu of a court-martial. She was ordered to forfeit \$3,500 and reprimanded for the following offenses:
  - a. Violating UCMJ, Article 92, failure to obey order or regulation, by improperly using her government travel on or about July 4 and 11, 2003, in taking cash advances totaling approximately \$400.
  - b. Violating UCMJ, Article 133, conduct unbecoming an officer, by wrongfully engaging in outside employment and activities that had the appearance of conflicting with her position as an active duty Air Force officer, to wit: becoming an advisor to MTS-PTY; filing incorporation documents and become a corporate director for MTS-USA; and failing to seek approval for such outside employment by her commanding officer.

### FINDINGS

1. The conduct of MTS-USA and Olson is of so serious and compelling a nature that it affects their present responsibility to be Government contractors or subcontractors and provides a separate basis for their debarments, pursuant to FAR 9.406-2(c).
2. Pursuant to FAR 9.406-5(a), the fraudulent and other seriously improper conduct of Olson as an officer, director, shareholder, partner, employee, or other individual associated with a contractor may be imputed to the contractor when the conduct occurred in connection with the individual's performance of duties for or on behalf of the contractor. The imputation of Olson's

seriously improper conduct to MTS-USA and MTS-PTY provides a separate basis for their debarments.

3. Pursuant to FAR 9.406-5(b), the fraudulent and other seriously improper conduct of MTS-USA may be imputed to Olson, because as an officer, director, shareholder, partner, employee, or other individual associated with MTS-USA, she participated in, knew of, or had reason to know of MTS-USA's fraudulent and seriously improper conduct. The imputation of MTS-USA's fraudulent and seriously improper conduct to Olson provides a separate basis for her debarment.

4. Olson and MTS-USA are affiliates, as defined in FAR 9.403 ("Affiliates"), because directly or indirectly she controls or has the power to control MTS-USA. The affiliation of Olson and MTS-USA provides a separate basis for MTS-USA's debarment.

A handwritten signature in black ink, appearing to read 'S. Shaw', with a stylized, flowing script.

STEVEN A. SHAW  
Deputy General Counsel  
(Contractor Responsibility)